

1290. Misbranding of gauze bandages. U. S. v. 156 Boxes of Gauze Bandages. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 11579. Sample No. 11716-F.)

On January 5, 1944, the United States attorney for the Northern District of California filed a libel against 156 boxes, each containing 72 units, of the above-named product at San Francisco, Calif., alleging that the article had been shipped from New Rochelle, N. Y., on or about October 22, 1943, by the American White Cross Laboratories, Inc.; and charging that it was misbranded. The article was labeled in part: "Sterile Bandage Gauze Compressed."

The article was alleged to be misbranded in that the statement, "Sterile," appearing on its label, was false and misleading since the article was not sterile, but was contaminated with living micro-organisms.

On April 27, 1944, the American White Cross Laboratories, Inc., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for reesterilization under the supervision of the Food and Drug Administration.

1291. Misbranding of Stanup Shoulder Brace. U. S. v. 38 Stanup Shoulder Braces. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 11817. Sample No. 59536-F.)

On February 15, 1944, the United States attorney for the Eastern District of Michigan filed a libel against 38 Stanup Shoulder Braces at Detroit, Mich., alleging that the article had been shipped between the approximate dates of November 12 and 20, 1943, by the United States Truss Co., Cincinnati, Ohio; and charging that it was misbranded.

Examination showed that the device was a shoulder brace made of strips of cotton webbing, the shoulder straps being adjustable.

It was alleged to be misbranded in that the following statements appearing on the label, "Shoulder Erector and Chest Expander For Men and Women Young and Old Develops the Chest, * * * then see how your chest will develop within a short time * * * Health Promoter Deep Breathing Expands Lungs Purifies Blood and Prolongs Life," were false and misleading since such a device would not be effective in developing the chest, expanding the lungs, purifying the blood, prolonging life, or promoting health.

On March 16, 1944, the United States Truss Co., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

1292. Misbranding of Rowles Red Pepper Rub. U. S. v. 85½ Dozen Packages of Rowles Red Pepper Rub. Decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 11826. Sample No. 60705-F.)

On February 17, 1944, the United States attorney for the Northern District of California filed a libel against 85½ dozen packages of Rowles Red Pepper Rub at San Francisco, Calif., alleging that the article had been shipped by the Anacin Manufacturing Co. on or about March 30, 1943, from Knoxville, Tenn.; and charging that it was misbranded.

Examination disclosed that the article was short-weight.

It was alleged to be misbranded (1) in that the statement in the labeling, "Contents 1¼ Oz.," was false and misleading; and (2) in that the label failed to bear an accurate statement of the quantity of the contents.

On March 31, 1944, the Larned Corporation having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

DRUGS FOR VETERINARY USE*

1293. Misbranding of Cha Rem. U. S. v. 222 Bottles of Cha Rem. Decree of condemnation. Product ordered released to be relabeled. (F. D. C. No. 12020. Sample No. 62531-F.)

On March 20, 1944, the United States attorney for the Eastern District of Illinois filed a libel against 222 bottles, ranging from 8 ounces to 1 gallon in size, of Cha Rem, at Windsor, Ill., alleging that the article, which had been consigned by the F. B. Chamberlain Co., had been shipped on or about February 1 and March 8, 1944, from St. Louis, Mo.; and charging that it was misbranded.

Examination of the article showed that it consisted essentially of water, sugar, creosote, sodium hydroxide, a laxative plant drug, and a minute amount of arsenic.

*See also Nos. 1259-1261, 1282.

The article was alleged to be misbranded because of false and misleading statements in accompanying circulars entitled "How to Keep Your Chickens Healthy," and "Coccidiosis Kills Millions of Chickens Every Year," regarding its efficacy as a drinking water disinfectant and in the prevention of coccidiosis (both bloody type and chronic), bronchitis and respiratory diseases, range paralysis, bowel trouble, and mycosis, and in the treatment of coccidiosis (bloody type), bronchitis, limber neck, and general bowel disorders.

On April 8, 1944, the F. B. Chamberlain Co., St. Louis, Mo., and Harold Storm, doing business as Storm's Seed and Feed Store, Windsor, Ill., claimants, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released to the claimants, conditioned that it be relabeled and that the circulars be destroyed under the supervision of the Food and Drug Administration.

1294. Misbranding of Economy veterinary products. U. S. v. 40 Bags and 23 Bags of Economy Super-Mineral for Poultry, 4 Bags of Economy Super-Mineral for Sheep, and various quantities of printed matter. Consent decree of condemnation. Printed matter ordered destroyed; products ordered released under bond. (F. D. C. No. 10181. Sample Nos. 37976-F, 37978-F.)

On July 12, 1943, the United States attorney for the Northern District of Indiana filed a libel against 40 25-pound bags and 23 50-pound bags of Economy Super-Mineral for Poultry, and 4 50-pound bags of Economy Super-Mineral for Sheep, 2,000 booklets entitled "The Key to Success Economy Super-Mineral for Poultry," 200 circulars entitled "Economy Super-Mineral for Poultry Feeding Directions," 4,000 booklets entitled "The Key to Success Economy Super-Mineral for Sheep," and 200 circulars entitled "Economy Super Minerals for Sheep General Feeding Directions," at Fort Wayne, Ind. It was alleged that the drugs had been shipped on or about February 23, 1943, by the James J. Doty Co., Ltd., from Shenandoah, Iowa, and that the booklets and circulars had been brought together with the drug to which they referred, and accompanied the articles while they were in interstate commerce.

Analysis of a sample of the Mineral for Poultry showed that it consisted essentially of sodium sulfate, calcium carbonate, sodium bicarbonate, sulfur, plant drugs including tobacco and American wormseed, small amounts of calcium phosphate, sodium thiosulfate, manganese sulfate, iron oxide, charcoal, and an iodide. It contained not more than 0.14 percent of phosphoric anhydride, not more than 0.06 percent of phosphorus, and not more than 0.007 percent of iodine. It was alleged to be misbranded in that certain statements in the labeling were false and misleading since they represented that the article would be efficacious to regulate the digestive organs, act as a tonic for poultry, act as a preventive of coccidiosis, regulate the kidneys and liver, restore the healthy functions of the body, disperse a tumor, rid the system of uric acid, regulate the bowels, prevent gland troubles, and act as a tonic for the blood; that it would be efficacious in the treatment of white diarrhea, blackhead, worms—round, tape, and gape, diphtheritic roup, and chicken pox or sore-head; and that it would build the constitution. The article would not be efficacious for such purposes.

Analysis of a sample of the Mineral for Sheep showed that it consisted essentially of sodium sulfate, calcium carbonate, sulfur, and sodium bicarbonate with small amounts of calcium phosphate, charcoal, iron oxide, manganese sulfate, sodium thiosulfate, an iodide, and plant drugs including tobacco and American wormseed; and that it contained not more than 0.07 percent of phosphorus and not more than 0.007 percent of iodine. It was alleged to be misbranded in that certain statements in the labeling were false and misleading since they represented that the article would be efficacious in the treatment of worms, gastritis, and enteritis in sheep; that it would clean out the digestive tract, regulate the bowels, liver, and kidneys; that it would disperse a tumor, act as an internal antiseptic healing lotion to any injured or ulcerated portion of the digestive tract, restore healthy functions of the body, regulate the bowels, and tone the blood; that it would be efficacious in the treatment of catarrh or snotty nose, bloating, and forage poisoning; and that it would supply the necessary elements for health and reproduction. The article would not be efficacious for such purposes.

On October 22, 1943, the Economy Hog & Cattle Powder Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the booklets and circulars be destroyed, and that the drugs be released under bond for relabeling under the supervision of the Food & Drug Administration.